

JUDGE JONES

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
:
- v. - :
:

ROBERT ANTHONY GONZALEZ, :
KHALIL WILLIAMS, :
RASHEEM RICHARDSON, and :
MARK FRANCO, :
:

Defendants. :
:
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DATE FILED:	APR 22 2008
INDICTMENT	

08 CRIM 363

COUNT ONE

The Grand Jury charges:

1. On or about March 25, 2008, in the Southern District of New York and elsewhere, ROBERT ANTHONY GONZALEZ, KHALIL WILLIAMS, RASHEEM RICHARDSON, and MARK FRANCO, the defendants, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, GONZALEZ, WILLIAMS, RICHARDSON, and FRANCO, and others known and unknown, agreed to commit an armed robbery of an electronics store engaged in the sale of commodities in

interstate commerce, in the vicinity of 20 Bruckner Boulevard, Bronx, New York.

(Title 18, United States Code, Section 1951.)

COUNT TWO

The Grand Jury further charges:

2. On or about March 25, 2008, in the Southern District of New York, ROBERT ANTHONY GONZALEZ, KHALIL WILLIAMS, RASHEEM RICHARDSON, and MARK FRANCO, the defendants, and others known and unknown, unlawfully, willfully, and knowingly did attempt to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would thereby have obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, GONZALEZ, WILLIAMS, RICHARDSON, and FRANCO, attempted to commit an armed robbery of an electronics store engaged in the sale of commodities in interstate commerce, in the vicinity of 20 Bruckner Boulevard, Bronx, New York.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT THREE

The Grand Jury further charges:

3. On or about March 25, 2008, in the Southern District of New York, ROBERT ANTHONY GONZALEZ, KHALIL WILLIAMS,

RASHEEM RICHARDSON, and MARK FRANCO, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the robbery conspiracy charged in Count One of this Indictment, did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, to wit, GONZALEZ, WILLIAMS, RICHARDSON, and FRANCO possessed a .45 caliber semi-automatic pistol.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

COUNT FOUR

The Grand Jury further charges:

4. On or about March 25, 2008, in the Southern District of New York, ROBERT ANTHONY GONZALEZ, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, a quantity of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C); Title 18, United States Code, Section 2.)

COUNT FIVE

The Grand Jury further charges:

5. On or about March 25, 2008, in the Southern

District of New York, KHALIL WILLIAMS, the defendant, after having been previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, to wit, a conviction on or about June 24, 1996, of robbery in the first degree, a Class B Felony, in New York Supreme Court, Bronx County, unlawfully, willfully, and knowingly did possess in and affecting commerce a firearm, to wit, a .45 caliber Taurus semi-automatic pistol, which had previously been shipped and transported in interstate commerce.

(Title 18, United States Code, Section 922(g)(1).)

COUNT SIX

The Grand Jury further charges:

6. On or about March 25, 2008, in the Southern District of New York, ROBERT ANTHONY GONZALEZ, the defendant, after having been previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, to wit, a conviction on or about June 20, 1996, of criminal sale of a controlled substance in the fifth degree, a Class D Felony, in New York Supreme Court, Bronx County, unlawfully, willfully, and knowingly did possess in and affecting commerce a firearm, to wit, a .45 caliber Taurus semi-automatic pistol, which had previously been shipped and transported in interstate commerce.

(Title 18, United States Code, Section 922(g)(1).)

FORFEITURE ALLEGATIONS AS TO COUNT ONE

7. As a result of committing the Hobbs Act robbery offense, in violation of Title 18, United States Code, Section 1951, alleged in Count One of this Indictment, ROBERT ANTHONY GONZALEZ, KHALIL WILLIAMS, RASHEEM RICHARDSON, and MARK FRANCO, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, any and all property constituting or derived from any proceeds ROBERT ANTHONY GONZALEZ, KHALIL WILLIAMS, RASHEEM RICHARDSON, or MARK FRANCO, the defendants, obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment, including a sum of money representing the amount of proceeds obtained as a result of the offense alleged in Count One of this Indictment.

8. If any of the above-described forfeitable property, as a result of any act or omission of one of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;

- (d) has been substantially diminished in value;
or
- (e) has been commingled with other property which
cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18,
United States Code, Section 982(b) and Title 21, United States
Code, Section 853(p), to seek forfeiture of any other property of
said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981, 982 and 1951;
Title 21, United States Code, Section 853;
Title 28, United States Code, Section 2461.)

[Signature]
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FOREPERSON

Michael J. Garcia

MICHAEL J. GARCIA *DJK*
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

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ROBERT ANTHONY GONZALEZ,
KHALIL WILLIAMS,
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MARK FRANCO,

Defendants.

INDICTMENT

08 Cr. _____

(Title 18, United States Code,
Sections 1951, 924(c), 922(g), and 2;
Title 21, United States Code, Sections
812, 841(a)(1), and 841(b)(1)(C))

MICHAEL J. GARCIA
United States Attorney

A TRUE BILL.

[Signature] *Rosa*
Foreperson.

4/22/08-7ld. Indictment, case assigned
to Judge Jones for all purposes.

S. Lator, J. U. S. M. J.
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Post JH
4/22/08